

IN RE: PETITION FOR ZONING VARIANCE
E/S Hilton Avenue at Bass
Wood Court (Patapsco Woods,
Section 17)
1st Election District
1st Councilmanic District
Porten Sullivan Corporation
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-299-A

AMENDED ORDER

WHEREAS, the Petitioners request variances to permit minimum building separations of as close as 10 feet in lieu of the required 30 feet, to permit as close as 20 feet between the center of facing windows of different dwelling units on the same subdivision tract in lieu of the permitted 40 feet, and to permit a minimum distance from window to property line of 4 feet in lieu of the required 15 feet, as more particularly described on the plan submitted identified as Petitioner's Exhibit 1;

WHEREAS, a hearing was held on January 31, 1989 with Protestants presenting testimony in opposition of the relief requested;

WHEREAS, by Order issued April 13, 1989 the relief requested was granted in part and denied in part and subject to restrictions;

WHEREAS, pursuant to the receipt of a request by Counsel for Petitioner for a continued hearing to amend the Order issued April 13, 1989, a continued hearing was held on July 6, 1989 at which time additional testimony and evidence were presented by both the Petitioners and the Protestants;

WHEREAS, an amended site plan and additional facts and testimony were presented by Petitioners to show the practical difficulty and unreasonable hardship they would suffer if the relief requested were not granted in its entirety;

WHEREAS, after due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, an amended Order should be issued. While the Protestants' concerns are very honest and understandable, I do not believe the proposed development will detract from any of the adjoining properties. In fact, I believe the development as shown on Petitioner's Exhibit 1A is going to benefit the community's general welfare overall. In my opinion, there is no improper increase in density resulting from Petitioners' proposed use of the subject property and the type of homes that will be built are appropriate for D.R. 2 zoned land.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of August, 1989 that the Order issued April 13, 1989 be and the same is hereby AMENDED and the Petition for Zoning Variance to permit minimum building separations of as close as 10 feet in lieu of the required 30 feet, to permit as close as 20 feet between the center of facing windows of different dwelling units on the same subdivision tract in lieu of the permitted 40 feet, and to permit a minimum distance from window to property line of 4 feet in lieu of the required 15 feet, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING

Date 8/17/89
By [Signature]

2) Petitioners shall comply with all variance indications for all lots as set forth on the amended plan submitted and identified as Petitioner's Exhibit 1A.

3) Petitioners and/or future property owners shall not require any further side yard variances for Lots 13 through 22 and Lots 27 through 36 of Patapsco Woods, Section Two.

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

5) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

6) Petitioners shall provide a copy of this Order to all purchasers of Lots 13 through 22 and Lots 27 through 36 of Patapsco Woods, Section Two so that they may be aware of the restrictions contained herein as to side yard variances.

[Signature]
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Mr. & Mrs. H. Mengers
1008 Hilton Avenue, Catonsville, Md. 21228

Mr. John O'Donnell
601 Hilton Avenue, Catonsville, Md. 21228

Robert Greenwalt, Esquire
Maiden Choice Lane, Suite 813, Catonsville, Md. 21228

Mr. Albert Gettier
c/o All-Saints Sisters of the Poor
601 Maiden Choice Lane, Catonsville, Md. 21228

People's Counsel
File

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IN RE: PETITION FOR ZONING VARIANCE
E/S Hilton Ave. at Basswood Ct.
Patapsco Woods, Section Two
1st Election District
1st Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-299-A

Legal Owner:
Porten Sullivan Corp.
Contract Purchaser:
Diversified Homes Master Ltd.
Partnership, Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1801.2.C.1 to permit minimum building separations of as close as 10' in lieu of the required 30' and from Section 1801.2.C.2.b to permit as close as 20' between the center of facing windows of different dwelling units on the same subdivision tract in lieu of the permitted 40' and V.B.6.b (CMDF) to permit a minimum distance from window to property line of 4' in lieu of the required 15', as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared, testified and were represented by Robert Hoffman, Esquire. The Petitioners were supported in their testimony by D.S. Thaler and John A. Ciresi. Mr. James Mohler and Mr. Tom Booth of Catonsville 2000 appeared as interested parties only.

There were a number of Protestants who appeared and testified; namely, Mr. and Mrs. H. Mengers and Mr. John O'Donnell. Robert Greenwalt, Esquire representing his mother, Marian Greenwalt, and a neighbor, Eleanor Peters. Mr. Albert Gettier appeared as an interested party for the All Saints Sisters of the Poor.

The Petitioners are requesting variances for all of the lots shown on Petitioners' Exhibit 1 along Basswood Court in the subdivision known as Patapsco Woods. The testimony and evidence tends to indicate that the requested variances are to enable the Petitioner to develop Basswood Court with homes of a larger floor area and size than would normally be permitted. Specifically, the homes listed in Petitioners' Exhibit 2 under the Estate Series are planned for this development. The home causing the greatest intrusion under the Baltimore County Zoning Regulation (B.C.Z.R.) requirements for a D.R.2 development is the Amberly.

The Amberly is approximately 53' wide along the front wall and would not properly fit upon the average 70' lots shown on Petitioners' Exhibit 1. Specifically, the Petitioners testified that their market analysis indicate that the demand for large two story homes with attached garages dictates that this type of housing be developed on this land.

The Protestants specifically object to the granting of blanket variances for development of a particular neighborhood or subdivision. More specifically, the Protestants object to the granting of blanket variances. They believe the variances cause an intrusion into what they perceive to be an appropriate D.R.2 community. Mr. Greenwalt specifically objects to the granting of any variances for lot 13 and 36 along Hilton Avenue because of the placement of those homes closer to the Protestants' homes across Hilton Avenue. The Protestants firmly believe that the requested variances are purely for the economic profit of the Petitioner and not to fulfill any fundamental need of the particular land in question.

The Petitioners' witnesses all testified to the requirements set forth under Section 307.1 of the B.C.Z.R. concerning variances. Petition-

ers' Exhibit 1 clearly identifies all of the requested variances for each lot and individually list the nature and extent of those requested variances, if granted. The Petitioners' witnesses also detailed the reason for the clustered development and the reduced size and area of the lots in the question. Most of the testimony dealt with the unique nature of the entire tract known as Patapsco Woods and the off-site physical constraints caused by the one hundred year flood plain, the hydraulic soils contained on portions of the project and the desire to maintain open space areas.

Section 307.1, Baltimore County Zoning Regulations (B.C.Z.R.) states that the Baltimore County Zoning Commissioner and or Deputy Zoning Commissioner shall have the power to create variances from an area regulation where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

In reviewing the Petition, it must be kept in mind that "the standard for granting a variance... is... whether strict compliance with the regulations would result in 'practical difficulty or unreasonable hardship'; and that it should be granted only if in strict harmony with the spirit and intent of the Zoning regulations; and only in such manner as to grant relief without substantial injury to the public health, safety and general welfare." McLean v. Soley.

The question, therefore, is whether it was fairly debatable that the evidence shows strict compliance with the regulations would result in practical difficulty or unreasonable hardship.

The issue before the Zoning Commissioner is whether or not the proposed variances comply with the technical requirements of Section 307.1 of the B.C.Z.R. Specifically, it is an issue of whether or not the particular requested variances comply with the spirit and intent of the B.C.Z.R.

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and/or whether or not there is any practical difficulty or unreasonable hardship. I do not believe that the granting of blanket variances for lots 13 through 36 of Patapsco Wood, along Basswood Court, would be consistent with the D.R.2 zoning regulations. There are certain hardships and there are certain solutions which would enable appropriate development. The relief requested is unnecessary for the problem that exist. The Petitioner does not really need all of the relief that has been requested. Therefore, the requested variances as delineated on Petitioners' Exhibit 1 should be granted in part and denied in part, as more particularly set forth below in the Order.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be denied in part and granted in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of April, 1989 that the Petition for Zoning Variances from Section 1801.2.C.1 to permit minimum building separations of as close as 10' in lieu of the required 30' and, from Section 1801.2.C.2.b to permit as close as 20' between the center of facing windows of different dwelling units on the same subdivision tract in lieu of the permitted 40' and V.B.6.b (CMDF) to permit a minimum distance from window to property line of 4' in lieu of the required 15', as more particularly described on Petitioner's Exhibit 1 be and is hereby DENIED.

IT IS FURTHER ORDERED by the Zoning Commissioner that the Petition for Zoning Variance for Lot #15 for a variance to Section 1801.2.C.1 for a building separation of 12' in lieu of the required 30' and from V.B.6.b window to property line of 4' in lieu of the required 15', for Lot #17 a variance to Section 1801.2.C.1 for a building separation of 12' in lieu of

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the required 30' and from V.B.6.b window to property line of 4' in lieu of the required 15', for Lot #23 for a variance to Section 1801.2.C.1 for a building separation of 10' and 12' in lieu of the required 30' and from V.B.6.b window to property line of 14' in lieu of the required 15', for Lot #29 for a variance to Section 1801.2.C.1 for a building separation of 14' in lieu of the required 30' and to 1801.2.C.2.b for a distance related to windows of 22' in separation in lieu of the required 40', for Lot #31 for a variance to Section 1801.2.C.1 for building separation of 12' and 14' in lieu of the required 30', for Lot #33 for a variance to Section 1801.2.C.1 for a building separation of 12' in lieu of the required 30' and for Lot #35 a variance to Section 1801.2.C.1 for a building separation of 12' in lieu of the required 30', as more particularly described on Petitioner's Exhibit 1 be and is hereby granted, subject, however, to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall comply with all variance indications as listed on Petitioners Exhibit 1 for Lots 15, 17, 23, 29, 31, 33 and 35.

[Signature]
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mm

cc: Peoples Counsel
D.S. Thaler, 11 Warren Road, Pikesville, Maryland 21208

Mr. John A. Ciresi, 214 Clay Hill Circle, Cockeysville, Md. 21030
Mr. J. Mohler, Catonsville 2090, 2 W. Rolling Crossroads, Suite 703, Catonsville, Md. 21228
Mr. T. Booth, Catonsville 2000
Mr. and Mrs. H. Mengers, 1008 Hilton Avenue, Catonsville, Md. 21228
Mr. John O'Donnell, 601 Hilton Avenue, Catonsville, Md. 21228
Robert Greenwalt, Esquire, Suite A, 813 Maiden Choice Lane, Baltimore, Md. 21228
Mr. Albert Gettier c/o All-Saints Sisters of the Poor, 601 Maiden Choice Lane, Catonsville, Md. 21228

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LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517

TOWSON, MARYLAND 21204
TOWSON (301) 823-4111
TELEPHONE (301) 821-047
205 EAST BROADWAY
P.O. BOX 8
BETH AIR, MARYLAND 21014
BETH AIR (301) 834-8684
BETH AIR (301) 879-1551
DIRE * DIAL NUMBER
(301) 494-9162

February 16, 1989

Hand Delivery

J. Robert Haines
Zoning Commissioner for Baltimore County
1st Floor, County Office Building
Towson, Maryland 21204

Re: Case No. 89-299-A
Diversified Homes Master Limited Partnership,
Petitioner

Dear Mr. Haines:

At the conclusion of the zoning hearing on the referenced Petition for Variances, you asked that the Petitioner consider a restriction which would require a further hearing following the sale of 35% of the subject lots, in order to determine the appropriateness of the variances on the lots which had not as yet been sold. Your intent was to prevent the construction of all "Amberly" homes (or a substantial portion of Amberly homes) within this section of Patapsco Woods.

Unfortunately, the client and its lenders are not comfortable with such an open-ended order.

J. Robert Haines,
Zoning Commissioner
February 16, 1989
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Instead, the following restrictions should accomplish a similar result and still give the desired flexibility to the Petitioner:

1. The Petitioner shall not construct homes of a width, measured along the front of the house, of greater than 53 feet on more than 35% of the subject lots;

2. No two homes of a width, measured along the front of the house, of greater than 53 feet shall be constructed on adjoining lots.

These restrictions would mean that no two Amberly homes (Amberly homes are 58 feet in width) could be constructed on adjoining lots and the total number of Amberly homes would be limited to eight.

I hope that these restrictions are consistent with your intent. If you have any questions, please do not hesitate to call.

Yours truly,

Robert A. Hoffman

RAH:bw
cc: John A. Ciresi

CATONSVILLE 2000, INC.

"Working for a Better Catonsville Community"

OFFICERS

Michael L. DeLuca
President
Richard W. Decker
Vice President
William Holey
Treasurer
Stephen W. Whalen, Jr.
Secretary

Who's Phone #: 747-2900
Who's Address: 2 W. Rolling Crossroads
Suite #203
Catonsville, Maryland 21228

September 27, 1988

To Whom It May Concern:

Please be advised that, at a meeting of the Board of Directors of Catonsville 2000, Inc., held Wednesday, September 14, 1988, the Board proposed, considered and unanimously passed the following resolution and authorization, a quorum being present.

"Any one or more of the following Board members shall be and is hereby authorized to represent the position of Catonsville 2000, Inc. to any planning, review or zoning board or commissioner or appeals board of Baltimore County, including representation at any CRG meeting, variance, special exception or special hearing, or any appeal thereof, on any issue involving Catonsville 2000's designated study area of postal zip code 21228 (Catonsville), south of Baltimore National Pike:

Jean Walsh
Fran Medicus
Thomas Booth
James Mohler"

Entered into the minutes of the Board meeting of September 14, 1988, and hereby certified to be true and correct on the date first written above:

Attest: Stephen W. Whalen, Jr. (SEAL)
Corporate Secretary

PROTESTANT'S
EXHIBIT 1

ADVISOR TO THE BOARD
William Holey
Frederick Palmer
Baltimore County
Office of Community Planning

PETITIONER'S EXHIBIT 5

IN RE: PETITION FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - Intersection
of Yvonne Avenue and
Darleigh Road
11th Election District
5th Councilmanic District
Durban Road Limited Partnership
Petitioner

DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-226-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to approve the Fourth Amended Final Development Plan for Silver Spring Station, Section XI, and a zoning variance to permit 100% of the apartment units to be less than 52 feet in height in lieu of the maximum permitted 20%, as more particularly described in Petitioner's Exhibits 1, 2 and 3.

The Petitioner, by John B. Howard, Esquire and Robert A. Hoffman, Esquire, appeared and testified. Also appearing as witnesses for the Petitioner were Kimberly B. Strutt, a general partner of the Durban Road Limited Partnership; George E. Gavrellis, an expert land planner; and Glenn L. Cook, an expert traffic engineer. Charles B. Hasel, who resides near the subject property, appeared and participated in the hearing.

Testimony proffered by Counsel for the Petitioner indicated that the subject property is located in the community of Perry Hall and is part of a larger development known as Silver Spring Station. A previously approved final development plan for Silver Spring Station showed that the subject property would be developed with two "clustered" high-rise apartment buildings. The zoning of the subject property would permit a total of 715 dwelling units in those high-rise buildings. However, because high-rise apartments would not be in keeping with the surrounding area and would, in fact, be totally inappropriate for Perry Hall, the instant Petitions were filed to request approval of the construction of low-rise, lower-density buildings. The density on the subject property would

PETITIONER'S EXHIBIT 11

IN RE: PETITION FOR
W/S Painters Mill Road, 1400'
SW of the c/c of Red Run Blvd.
2nd Election District
3rd Councilmanic District
Painters Mill Assoc. Ltd.
Partnership - Petitioner

ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-343-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a minimum distance of 40 feet between the centers of facing windows of different apartments in lieu of the required 75 feet, and to permit all dwelling units in buildings of less than 52 feet in height in lieu of the maximum permitted number of 20%, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by John B. Howard, Esquire and Robert A. Hoffman, Esquire, appeared and testified. Also appearing on behalf of the Petition were Catherine Hare Foltz, President of TCR, Maryland, Inc., a general partner of the Contract Purchaser of the subject property; George E. Gavrellis, an expert land planner; Mickey A. Cornelius, an expert traffic engineer; and John A. Luetkeneyer, Jr., a principal of the Legal Owner of the subject property. There were no Protestants present at the hearing.

Testimony proffered by Counsel for the Petitioner indicated that the subject property is located in the Owings Mills growth area on Painters Mill Road is Phase I of a larger project known as the Village of Painters Mill. The entire project received CRG approval on April 2, 1986 and is zoned predominantly R.A.E. 1.

Under that zoning classification, only 20% of all dwelling units are permitted in buildings of less than 52 feet in height. Looking at the Village of Painters Mill as a whole, Phase I contains only the maximum permitted 20% of all dwelling units in buildings less than 52 feet in height, and thus, is in conformance with the R.A.E. 1 height regulations.

ship, an affiliate of the Trammell Crow Company, a real estate firm, which indicated conclusively that garden apartment housing is the only type of unit which could be developed on this site and that there would be a practical difficulty if the height requirement in the R.A.E. 1 zone had to be met.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property and public hearing on this petition held, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of March, 1988 that a minimum distance of 40 feet between the centers of facing windows of different apartments in lieu of the required 75 feet, be approved, and that all dwelling units in buildings of less than 52 feet in height in lieu of the maximum permitted 20%, in accordance with Petitioner's Exhibit 1, be permitted, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines
Zoning Commissioner of
Baltimore County

JRH:bjs

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
Zoning Commissioner
TO: Pat Keller, Deputy Director
FROM: Office of Planning & Zoning
SUBJECT: #187 Diversified Homes
89-299-A

Date: January 30, 1989

The applicant is requesting a series of variances for lots located on Basswood Court in a development known as Patapsco Woods. In reference to this request staff provides the following information:

- The variances requested by the petitioners effectively create side yard setbacks ranging between 4 feet to 8 feet. The variances have been requested to allow the petitioner flexibility in siting buildings on the lots. At this point in time, however, it appears that the petitioner is uncertain as to the exact location of buildings on the lots because no building footprints have been provided on the site plan.
- The density residential concept which maintains a basic integrity of spatial relationships between buildings regardless of lot sizes, window locations, and building sizes needs to be upheld in these types of requests. The primary goal of maintaining building separation to provide for light, air, noise reduction, nuisance reduction, open space and aesthetic visual quality should be maintained within the project. Staff would recommend that a minimum building separation be provided based upon a 45 degree angle from the ridge line of closest highest point on the structure to the base of the adjoining structure. Using this guideline adequate spatial relationships between buildings can be provided.

Based upon the analysis conducted and information provided staff recommends approval of the petitioners request subject to the following:

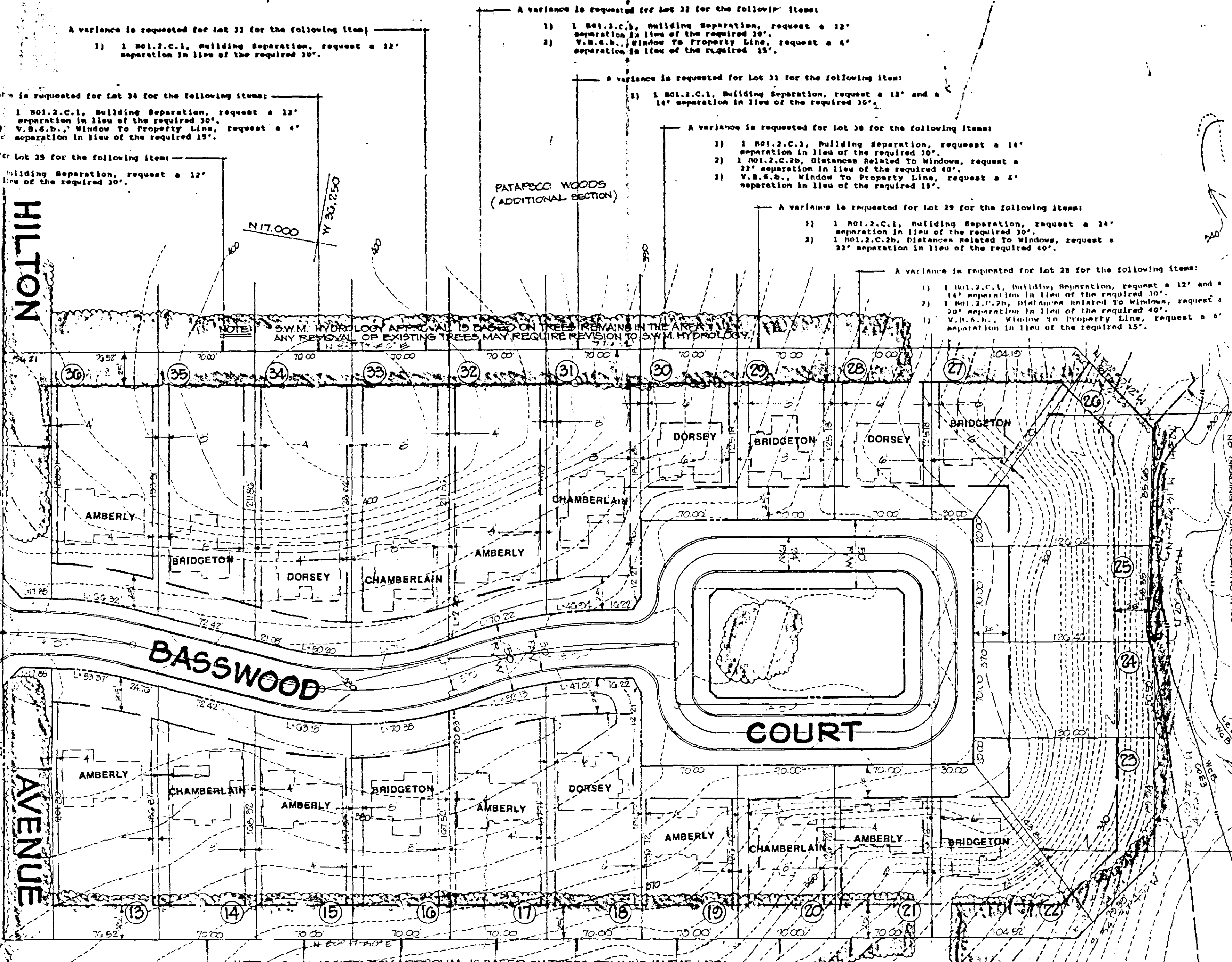
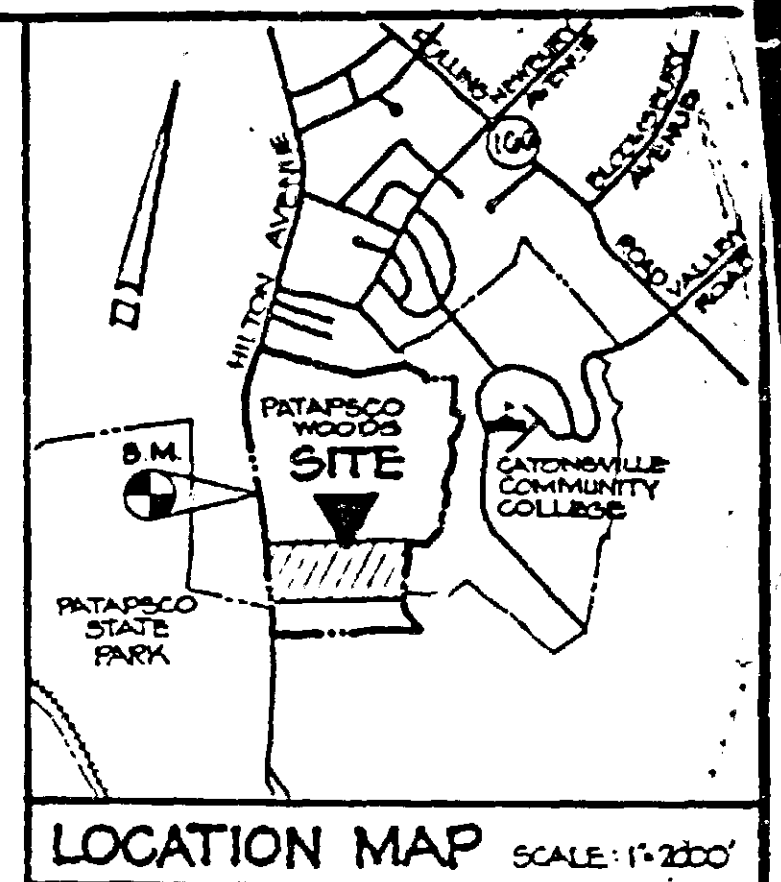
- The petitioner shall provide a building separation distance adequate to maintain a clear 45 degree angle between structures, however, the distance does not need to exceed 20 feet between buildings.
- The variances shall only apply to the structures as shown on the building permits and applications for building permits shall include a copy of the site plan and the Commissioner's "Findings of Fact and Conclusions or Law", provided by the applicant.

PK/ph

PROCESSED
JAN 31 1989
ZONING OFFICE

CRS-COB





ROLAND S. PETERS & HELENE
01-10-151280
1180/277
ZONED DR-2
SINGLE FAMILY

EUGENE F. GREENWALT & MARIAN F.
2154 / 200
ZONED DR-2
SINGLE FAMILY

EDWARD J. UNITAS, JR. & KATHRYN D.
20-00-004832
6240 / 206
ZONED DR-2
SINGLE FAMILY

SHARON U. SELDY
20-00-004833
7027 / 197
ZONED DR-2
SINGLE FAMILY

STATE OF MARYLAND
DEPT. OF NATURAL RESOURCES
7400 / 104
ZONED DR-2
VACANT

STATE OF MARYLAND
DEPT. OF NATURAL RESOURCES
7500 / 104
ZONED DR-2
VACANT

A variance is requested for Lot 14 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 12' separation in lieu of the required 30'.
2) V.B.6.b., Window To Property Line, request a 4' separation in lieu of the required 15'.

A variance is requested for Lot 15 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 12' separation in lieu of the required 30'.
2) V.B.6.b., Window To Property Line, request a 4' separation in lieu of the required 15'.

A variance is requested for Lot 16 for the following item:
1) 1 R01.2.C.1, Building Separation, request a 12' separation in lieu of the required 30'.

A variance is requested for Lot 17 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 12' and a 10' separation in lieu of the required 30'.
2) V.B.6.b., Window To Property Line, request a 4' separation in lieu of the required 15'.

A variance is requested for Lot 22 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 12' separation in lieu of the required 30'.
2) V.B.6.b., Window To Property Line, request a 4' separation in lieu of the required 15'.

A variance is requested for Lot 23 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 12' and a 14' separation in lieu of the required 30'.

A variance is requested for Lot 24 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 14' separation in lieu of the required 30'.
2) 1 R01.2.C.2, Distance Related To Windows, request a 22' separation in lieu of the required 40'.
3) V.B.6.b., Window To Property Line, request a 4' separation in lieu of the required 15'.

A variance is requested for Lot 25 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 14' separation in lieu of the required 30'.
2) 1 R01.2.C.2, Distance Related To Windows, request a 22' separation in lieu of the required 40'.

A variance is requested for Lot 26 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 12' and a 14' separation in lieu of the required 30'.
2) 1 R01.2.C.2, Distance Related To Windows, request a 20' separation in lieu of the required 40'.
3) V.B.6.b., Window To Property Line, request a 4' separation in lieu of the required 15'.

A variance is requested for Lot 27 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 12' separation in lieu of the required 30'.
2) 1 R01.2.C.2, Distance Related To Windows, request a 20' separation in lieu of the required 40'.
3) V.B.6.b., Window To Property Line, request a 14' separation in lieu of the required 15'.

A variance is requested for Lot 28 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 10' and 12' separation in lieu of the required 30'.
2) V.B.6.b., Window To Property Line, request a 14' separation in lieu of the required 15'.

A variance is requested for Lot 21 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 12' and a 14' separation in lieu of the required 30'.
2) V.B.6.b., Window To Property Line, request a 4' separation in lieu of the required 15'.

A variance is requested for Lot 20 for the following item:
1) 1 R01.2.C.1, Building Separation, request a 12' separation in lieu of the required 30'.

A variance is requested for Lot 19 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 10' and a 12' separation in lieu of the required 30'.
2) 1 R01.2.C.2, Distance Related To Windows, request a 10' separation in lieu of the required 40'.
3) V.B.6.b., Window To Property Line, request a 4' separation in lieu of the required 15'.

A variance is requested for Lot 18 for the following items:
1) 1 R01.2.C.1, Building Separation, request a 10' separation in lieu of the required 30'.
2) 1 R01.2.C.2, Distance Related To Windows, request a 10' separation in lieu of the required 40'.
3) V.B.6.b., Window To Property Line, request a 6' separation in lieu of the required 15'.

CONTRACT PURCHASER
DIVERSIFIED HOMES MASTER LIMITED PARTNERSHIP
8015 DORSEY RUN ROAD
SUITE 8
JESSUP, MD. 20794

- NOTES:
1. SITE ZONING - DR-2
 2. CRG NO. - 85314 APPROVED 2/19/86, COURTS A & B 7/3/86.
 3. SINGLE FAMILY HOMES ARE PROPOSED FOR SITE.
 4. SITE ACREAGE - 8.171 AC.

PATAPSCO WOODS - VARIANCE PLAT

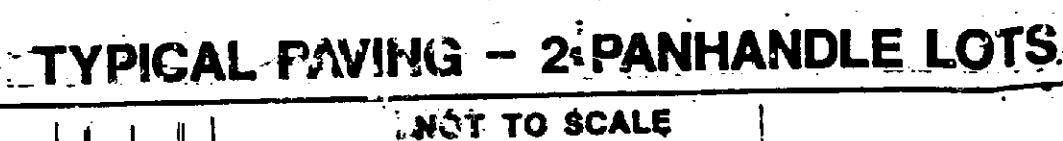
OCTOBER 14, 1988
DEED REF. 7339/472
1st ELECTION DISTRICT
SM 56/102 DATED 6/1/87

SCALE: 1" = 50'-0"
TAX ACCOUNT # 01-06-572672
BALTIMORE CO, MD

REVISED 5-8-89 INCLUDED HOUSE TYPE AND OUTLINE.

THIS PLAT PREPARED FROM PLAT OF PATAPSCO WOODS SECTION 2 PLATBOOK 56 FOLIO 102

PETITIONER'S
EXHIBIT 1A



PHA
PARTIAL DEVE

PATAPSCO
SECTION

151 ELECTION DISTRICT

SCALE: 1" = 50'

OWNER / DEVELOPER

**J. & S. DEVELOPMENT ASSOCIATES
STEVEN S. KOREN, TRUSTEE
COMMERCENTRE EAST SUITE 275
1777 REISTERSTOWN ROAD
BALTIMORE, MARYLAND 21208
(301) 484-8400**

C.R.G. PLAN APPROVED ON 2/19/86
AMENDED C.R.G. PLAN APPROVED FOR
COURTS A & B APPROVED ON 7/3/86

AND INSIDE EACH NOTE HAVE BEEN TOLD TO ANY HOME COMER WITHIN 500 OF THE ARMY CHANGES. ALTHOUGH AN ARMY OFFICE THE SIGN PURCHASED BY THE STATE OF MARYLAND IS A TYPICAL STATE FLAG